

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

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NOTICE OF AGENCY ACTION FOR AN :  
ORDER TO REQUIRE MARION :  
ENERGY TO COMPLY WITH A FINAL :  
DIVISION ORDER AND POST :  
ADDITIONAL BOND; FOR CERTAIN :  
WELLS LOCATED IN SEC. 11, 15, AND :  
16, T13S-R10E; AND SEC 19, 17, AND 29, :  
T13S-R7E, SLBM, CARBON COUNTY, :  
UTAH; AND UPON FAILURE TO :  
COMPLY TO AUTHORIZE SUIT AND :  
CLOSURE OF THE WELLS.

NOTICE OF HEARING

Docket No. 2011-007  
Cause No. 273-01

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING  
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, April 27, 2011, at 10:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Notice of Agency Action that the Board enter an Order as follows:

1. Pursuant to Utah Code § 40-6-11(3)(2010) requiring compliance by Marion Energy with the provisions of Division Order issued December 9, 2010 requiring the posting of individual well bonds for the wells identified on the Division Order within 30 days;
2. In the event of the failure of Marion to take such action within 30 days of the Board's Order; (A) an authorization for suit by the Board in the name of the state against persons violating the Division Order, recovery of civil penalties, and immediate closure and shut down of any well operating in violation of the Division Order as permitted by Utah Code § 40-6-11(3), (4) and (5)(2010); and
3. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than April 11, 2011. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

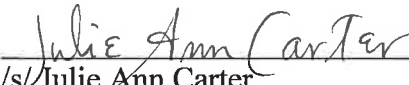
Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 29th day of March, 2011.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
Douglas E. Johnson, Chairman

  
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/s/ Julie Ann Carter  
Secretary to the Board  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5277

## CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2011-007, Cause No. 273-01 to be mailed with postage prepaid, this 30th day of April, 2011, to the following:

Steven F. Alder  
Assistant Attorneys General  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[stevealder@utah.gov](mailto:stevealder@utah.gov)  
**[Via Email]**

Keri Clark  
Marion Energy Resources, Inc.  
119 South Tennessee, Suite 200  
McKinney, TX 75069

Michael S. Johnson  
Assistant Attorneys General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[mikejohnson@utah.gov](mailto:mikejohnson@utah.gov)  
**[Via Email]**

  
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**CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2011-007, Cause No. 273-01 to be PUBLISHED in the following newspapers on the following days:

April 3, 2011:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

April 5, 2011:

Sun Advocate, a newspaper of general circulation in Carbon County.

A handwritten signature in cursive script, reading "Julie Ann Carter", is written over a horizontal line.